

REMARKS

Claims 1, 3-20, 22-24, 27-39, 43, 45, 47, 49-51, and 54-71 are pending in this application after this Amendment. Claims 1, 20, 39, 43, 45, 47, and 51 are independent. Claims 60-71 have been added. Claim 53 has been cancelled without prejudice or disclaimer to the subject matter contained therein. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this Amendment, Applicants have amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1, 3, 4-20, 22-24, 27-39, 43, 45, 47, 49-51, and 53-59 under 35 U.S.C. § 103(a) as being unpatentable over *Lazzouni et al.* (USP 5,652,412) in view of *Hecht et al.* (USP 6,327,395). Applicants respectfully traverse this rejection.

Examiner Interview

Applicants wish to thank the Examiner for the interview conducted on November 8, 2004. During the interview, Applicants' representative presented arguments that the claimed invention does not read on the references as cited by the Examiner. The Examiner maintained that the claims were broad enough to read on the

references. The Examiner suggested adding the limitations of claims 1, 5, 6, and 8. The Examiner indicated that by doing so, this would result in an allowable claim.

Claim Rejections - 35 U.S.C. § 103

In support of the Examiner's rejection of the pending claims, the Examiner asserts that the combined teachings of *Lazzouni et al.* and *Hecht et al.* render the pending claims obvious.

By this Amendment, Applicants have amended, for example, claim 43 to recite, *inter alia*, a system for information management, comprising the sensing wand being adapted to initiate the predetermined operation for the recorded information obtained from the writing region in response to the **detection and interpretation of the at least one activation icon on the product by detection and interpretation of the at least one position code**. It is respectfully submitted that neither of these references, either alone or in combination, teach or suggest detection and interpretation of the at least one activation icon.

Lazzouni et al. merely provides for a system that incorporates a pen that optically reads the pixels when the tip is in contact with the surface and a recording unit coupled to the pen to record the position of the pen tip on the writing surface so that the recording unit contains an electronic representation of the markings on the writing surface (Abstract).

Hecht et al. discloses a glyph address carpet method and apparatus for providing location information in a multidimensional address space. The system of *Hecht et al.* provides for an image capture device 1710 which is a camera pen that is connected to frame capture 1728 in computer system 1712. When button 1714 of camera pen 1710 is wired to mouse 1730 so that when a user presses button 1714, a signal travels through the circuitry of mouse 1728 to cursor control 1714. The signal causes processor 1720 to run a program that directs frame capture 1728 to capture the image from camera pen 1710 (col. 11, lines 35-43).

Neither of these references teach or suggest detection and interpretation of at least one activation icon by detection and interpretation of the at least one position code. As neither of these references, either alone or in combination, assuming these references are combinable, which Applicants do not admit, teach or suggest all of the claim elements, it is respectfully submitted that claim 43, as amended, is not rendered obvious by the combination of the teachings of the cited references.

It is respectfully submitted that claims that are dependent on claim 43 are allowable over the references as cited at least based upon their dependency on claim 43. It is further respectfully submitted that independent claims 1, 20, 39, and 45 include elements similar to those discussed above with regard to claim 43, and thus these claims, together with claims dependent thereon, are

allowable over the references as cited for the reasons set forth above with regard to claim 43.

Claim 47 recites, *inter alia*, identifying the position coded by the at least one position code of the activation icon to identify actuation of the activation icon and issuing an instruction to initiate the computer function the activation icon represents. As noted above with regard to claim 43, the teachings of the cited references where provided. The teachings of the cited references fail to include, either alone or in combination, identifying the position coded to identify actuation of the activation icon. As such, claim 47, together with claims dependent thereon, are not rendered obvious by the references as cited by the Examiner.

Claim 51 recites, *inter alia*, the processor identifying the position code of the activation icon and issuing an instruction to initiate the computer function the activation icon represents. As noted above with regard to claim 43, the teachings of the cited references where provided. The teachings of the cited references fail to include, either alone or in combination, the processor identifying the position code of the activation icon and issuing an instruction to initiate the computer function the activation icon represents. As such, claim 51, together with claims dependent thereon, are not rendered obvious by the references as cited by the Examiner.


Conclusion


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #39,491
Michael K. Mutter, #29,680


MKM/CMV/jdm
3782-0182P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000